

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:20-cr-10
v.)	
)	Judge Travis R. McDonough
MARKELL L. ASH)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

United States Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 37], recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Counts Six and Eight of the eight count Indictment; (2) accept Defendant's guilty plea to Counts Six and Eight of the eight count Indictment; (3) adjudicate Defendant guilty of possession with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); (4) adjudicate Defendant guilty of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i); and (4) order that Defendant remain in custody until sentencing in this matter or further order of this Court.

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Counts Six and Eight of the eight count Indictment is **GRANTED**;

2. Defendant's plea of guilty to Counts Six and Eight of the eight count Indictment is
ACCEPTED;
3. Defendant is hereby **ADJUDGED** guilty of possession with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);
4. Defendant is hereby **ADJUDGED** guilty of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i); and
5. Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **February 26, 2021, at 9:00 a.m.** before the undersigned.

SO ORDERED.

/s/Travis R. McDonough
TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE